

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ONEY JOSEPH BAKER,

Defendant.

**CR-13-10-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 22, 2021. (Doc. 92.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on September 21, 2021. (Doc. 87.) The United States accused Baker of violating his conditions of supervised release by failing to reside at the residence approved by his probation officer. (Doc. 84.)

At the revocation hearing, Baker admitted to violating the conditions of his supervised by failing to reside at the residence approved by his probation officer. (Doc. 87.) Judge Johnston found that the violation Baker admitted proved to be serious and warranted revocation, and recommended that Baker receive a custodial sentence of 12 months and 1 day with a no supervised release to follow. (Doc. 92.) Baker was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 87.) The violation proves serious and warrants revocation of Baker's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 92) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Oney James Baker be sentenced to the custody of the United States Bureau of Prisons for 12 months and 1 day, with no supervised release to follow.

DATED this 7th day of October, 2021.



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Brian Morris, Chief District Judge  
United States District Court